

(DF)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
FREDDY FERNANDEZ, et al.,

Plaintiff,

-against-

KINRAY, INC., et al.,

Defendants.  
----- X

13-CV-4938 (ARR)(SMG)

NOT FOR ELECTRONIC  
OR PRINT PUBLICATION

ORDER

ROSS, United States District Judge:

The court has reviewed the parties' pre-motion letters concerning plaintiffs' anticipated motion to dismiss defendants' counterclaims and has determined that a pre-motion conference is not necessary. The court therefore grants plaintiffs permission to bring the motion.

The court directs that the motion shall be briefed as follows: plaintiffs' motion and supporting papers shall be served no later than December 9, 2013; defendants' opposition papers shall be served no later than December 30, 2013; plaintiffs' reply papers, if any, shall be served no later than January 8, 2014. The fully-briefed motion shall be filed in accordance with chambers' rules, including courtesy copies for chambers, no later than January 8, 2014. This schedule may be altered only with the permission of the court.

Defendants have requested leave pursuant to Federal Rule of Civil Procedure 14(a)(1) to implead third-party corporate entities that contracted to provide the services that are the subject

of this litigation. The court defers a decision on this request until after the resolution of plaintiffs' motion to dismiss defendants' counterclaims.

SO ORDERED.

s/ ARR

\_\_\_\_\_  
Allyne R. Ross  
United States District Judge

Dated: November 13, 2013  
Brooklyn, New York